

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

ALOFT MEDIA, LLC,

Plaintiff,

v.

PALM, INC., *et al.*,

Defendants.

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Civil Action No. 02:08-cv-292-DF

JURY TRIAL DEMANDED

ORDER GRANTING THE AGREED MOTION TO DISMISS AT&T, INC.
WITHOUT PREJUDICE

Plaintiff Aloft Media LLC ("Aloft"), and Defendant AT&T, Inc. (whose correct name is AT&T Inc.) pursuant to Fed. R. Civ. P. 29 and 41, stipulated and jointly moved that Plaintiff dismisses without prejudice its claims against AT&T, Inc. set forth in the First Complaint for Patent Infringement filed on July 29, 2008, pursuant to Fed. R. Civ. P. 41. AT&T Inc. agreed that it will not raise any objection based on any applicable statute of limitations should Aloft later attempt to re-join AT&T Inc. into the above-titled litigation. Aloft agreed that AT&T Inc. does not waive any and all other defenses that might be asserted should Aloft later attempt to re-join AT&T Inc.

Accordingly, such motion is GRANTED, and IT IS HEREBY ORDERED that AT&T Inc. is hereby dismissed without prejudice according to the terms above. Costs to be borne by the party incurring same.

Signed: August 25, 2008



Judge David Folsom